

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Elimination of Child Labour – Committees – Re-constitution of State Level Monitoring Committee – Amendment – Orders - Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (LAB.IV) DEPARTMENT

G.O.Ms.No. 18

Dated: 07.02.2012

Read the following:

- 1) G.O.Rt.No.278, Dt. 02.07.1999 of Women's Development, Child Welfare & Disable Welfare (CL) Department.
- 2) The Judgement of Supreme Court of India, dt. 10.12.1996 in MC Mehta Vs State of Tamil Nadu & Others.
- 3) Discussions on 13<sup>th</sup> & 14<sup>th</sup> July, 2007 in the Central Monitoring Committee on Child Labour constituted under the Ministry of Labour & Employment.
- 4) G.O.Ms.No.60, dt.23.08.2007 of School Education (SSA) Department.
- 5) G.O.Ms.No.348, dated: 03.6.2008 of General Administration (A.R & T.I) Department.
- 6) G.O.Ms.No.9, dated: 12.01.2012 of Labour, Employment, Factories, Training & Boilers (Lab.IV) Department.
- 7) Minutes of the meeting Dt. 20-01-2012 held in the chambers of the Chief Secretary to Government of Andhra Pradesh
- 8) D.O.Lr.No.114/M(M.W.Wakf & UA)/2012, Date: 23-01-2012 of the Minister for Minorities Welfare Wakf & Urdu Academy, A.P Secretariat

\* \* \*

**ORDER**

In the G.O 6<sup>th</sup> cited read above, orders have been issued re-constituting State Level Monitoring Committee for elimination of child labour in the State of Andhra Pradesh.

2. In the meeting held on 20-01-2012 with the Principal Secretaries and Secretaries to Government of line Departments and Dr. L.Mishra, I.A.S (Retd) former Union Labour Secretary and Special Rapporteur, Smt. Deepa Dixit, Member, National Commission for Protection of Child Rights by the Chief Secretary to Government on the implementation and finalization of the draft action plan on elimination of child labour in Andhra Pradesh, it was stressed about the convergence of various line departments like Women & Child Development, School & Mass Education, Health and Family Welfare, Food and Civil supply, Urban & Rural Development, Panchayat Raj, Home, Law, Revenue, Social Welfare, Tribal Welfare, B.C. Welfare, Industry & Mines Department in the process of rescue and rehabilitation of child labour by involving all the concerned. The role of each department was more clearly specified in the draft action plan presented by Dr.L.Mishra, I.A.S., (Retd) annexed to this G.O.

3. In the reference 8<sup>th</sup> cited, the Minister for Minorities Welfare, Wakf & Urdu Academy, requested to nominate the Secretary to Government, Minorities Welfare Department as the member of the State Level Monitoring Committee.

4. In view of the request received from the department and in order to have proper convergence between various departments concerning child labour and to pool-up resources from variety of schemes available and to integrate them to achieve the desire goals of convergence i.e., identification, rescue and rehabilitation of all children so released from work, Government hereby decided to induct the following members in the State Level Monitoring Committee for elimination of child Labour in addition to the existing members.

Contd..2

5. Accordingly the following amendment is issued to para No.2 of the G.O 6<sup>th</sup> cited, including the following members:-

**Amendment**

- |   |        |
|---|--------|
| 1. Special Chief Secretary to Government,<br>Women, Children, Disabled & Senior Citizens Dept.                  | Member |
| 2. Principal Secretary to Government,<br>Health Medical and Family welfare Dept                                 | Member |
| 3. Principal Secretary to Government,<br>Panchayat Raj & Rural Development Dept                                 | Member |
| 4. Principal Secretary to Government,<br>Municipal Administration & Urban Development Dept                      | Member |
| 5. Principal Secretary to Government, Revenue Dept  | Member |
| 6. Principal Secretary to Government (Mining),<br>Industries & Commerce Dept                                    | Member |
| 7. Secretary to Government,<br>Minorities Welfare Department  | Member |
| 8. Commissioner Civil Supplies &<br>EO Secretary to Government, Food,<br>Civil supplies & Consumer Affairs Dept | Member |
| 9. State Programme Manager (A.P, Orissa & T.N)<br>Save the children (NGO), Hyderabad                            | Member |

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI  
CHIEF SECRETARY TO GOVERNMENT

To

The Women, Children, Disabled & Senior Citizens Department.  
The Health Medical and Family welfare Department  
The Panchayat Raj & Rural Development Department  
The Municipal Administration & Urban Development Department  
The Revenue Department  
The Industries & Commerce (Mining) Department  
The Food, Civil supplies & Consumer Affairs Department  
The General Administration (Cabinet) Department.  
The School Education Department  
The Finance Department  
The Law Department  
The Social Welfare Department  
The B.C Welfare Department  
The Tribal Welfare Department  
The Commissioner of Labour, Andhra Pradesh, Hyderabad.  
The Director of Factories, Andhra Pradesh, Hyderabad.  
The Director Juveniel Welfare.  
The UNICEF  
The Aid-et-Action

Contd..3

All Departments of Secretariat.  
 All Heads of Departments.  
 All District Collectors.  
 The Finance (SMPC) / (BG) Department.  
 The Accountant General, Andhra Pradesh, Hyderabad.  
 The Pay & Accounts Officer, Andhra Pradesh, Hyderabad.

**Copy to:**

The P.S. to Prl. Secretary to C.M.  
 The P.S. to all Ministers.  
 The P.S. to Chief Secretary.  
 The P.S. to Prl. Secretary to Government, LET & F Department, Women, Children, Disabled & Senior Citizens Department, Health Medical and Family welfare Department, Panchayat Raj & Rural Development Department, Municipal Administration & Urban Development Department, Revenue Department, Industries & Commerce (Mining) Department, Food, Civil supplies & Consumer Affairs Department, General Administration (GPM & AR) Department, General Administration (Services) Department.  
 SF/SCs.

//FORWARDED :: BY ORDER//

SECTION OFFICER

Annexure to G.O.Ms.No. 18, LET &F (Lab.IV) Department,  
dated: 07.02.2012.

**(PRESENTED BY DR. L. MISHRA, I.A.S. (RETD.), SPECIAL ADVISOR,  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS)**

**Role of various Departments of the State in rescue, release and rehabilitation of all working Children – native and migrant alike i.e., Labour and Employment, Women and Child Development, School and Mass Education, Health and Family Welfare, Food and Civil Supply, Urban Development, Rural Development, Panchayati Raj, Home (Police), Law, Revenue, Social Welfare (dealing with SC development), Tribal Welfare (dealing with Tribal Development), BC Welfare (dealing with BC development), Revenue, Industry and Mines.**

Elimination of child labour is not, cannot and was never intended to be the concern of one Ministry of one department, far less that of Labour and Employment Department. While the latter may function as the Nodal Department for the purpose of identification of pockets, occupations and processes, working children employed therein, rescue and release of children from work and securing their rehabilitation through education, nutrition, check up of health and skill training as also monitoring and coordination of all these activities, there are a number of Departments and Agencies who are equally concerned as stake holders in accomplishing the task of elimination of child labour. Their role and contribution to elimination of child labour may be in shape of (a) providing intelligence to Labour Department about the location, occupations and processes where children are found working (b) logistic support by way of making available services of their officers to be appointed as Inspectors u/s 17 Child Labour (Prohibition & Regulation) Act, 1986, members of Task Force / Rescue Team, provision of Vehicular support, bringing the children from where they are released to the Transit Home for psychological counselling, check up of health and ascertaining levels of educational equivalence, production of children before the Child Welfare Committee constituted u/s 29 of JJ (Care & Protection of children) Act, 2000 and (c ) making available resource persons for orientation and training of large number of functionaries involved in rescue, release and rehabilitation of children so released from work.

Since Labour Department has limited man power and is also starved of funds for better mobility and securing accountability of the employer concerned, it is necessary to pool resources from a variety of sources and integrated them imaginatively and skillfully with a view to achieving the desire goals of convergence i.e., identification of working children, rescue and release of working children and rehabilitation of all children so released from work. The precise role of each department who can make a significant contribution to the task of elimination of child labour may be outlined as under:-

**1. Labour and Employment Department**

- Collection of intelligence about the location of enterprises, occupations/processes where the children could be at work, compiling the intelligence and disseminating it among the members

of the District Level Task Force/Rescue Team with request to be in readiness for subsequent follow up action and activities.

- Constitution of Task Forces and Rescue Teams at the District level.
- Fixing a date for conducting raids on the establishment concerned and on the basis of prior intelligence.
- Carrying out raids through the Task Forces and Rescue Teams to rescue / release working children from work.
- After completion of rescue and release operation, get a proper mapping of the children prepared showing the details such as name age and sex, occupation / process in which employed, date of release and the manner in which the child who has been released from work perceives his / her model for rehabilitation.
- Recording statement of the offending employer and that of the children employed and to make use of the same for launching prosecution against all offending employers u/s 3 of Child Labour (Prohibition & Regulation) Act, 1986.
- Launching simultaneous legal and penal action against all offending employers.
- Ensuring that all working children are remunerated for the period for which they have worked under Minimum Wages Act, 1948.
- Ensuring that a sum of Rs. 20,000/- per child is recovered from all offending employers for having employed the child in hazardous work and taking care to deposit the said amount in the District Child Labour-Welfare-cum rehabilitation fund.
- A computerized data base on child labour for the whole State should be in place in the Office of the Labour Commissioner, Andhra Pradesh at Hyderabad.
- The Cell constituted in the Department as per the directions of the Apex Court should be strengthened; it should be manned by a full time officer in the rank of Additional Labour Commissioner to do justice to the mandate given to the State Government by the Hon'ble Apex Court.
- A calendar of training for all officers of labour law enforcement machinery should be drawn up and implemented with the involvement of V.V. Giri National Labour Institute, other institutes of Social Science Research, State Judicial Academy and State Labour Institute, if any.
- The State level authority on elimination of child labour and all the sub-committees formed thereunder should assist the authority to meet regularly and discharge the function assigned to them.

## **2. School Education Department:**

- It is the primary responsibility of the Department to ensure that all working children who have been withdrawn from work should, without any discrimination what so ever, be enabled and facilitated to have smooth and uninterrupted access to the formal school system/and retention therein.
- In order that the department is in a position to accomplish this objective, the following activities are required to be undertaken by way of planning and preparation:-
- Generating awareness amongst all sections of the civil society about RTE, 2009 through programmes like celebration of education week / fortnight or back to school programme, creation of an environment conducive to RTE, 2009 by harnessing print, electronic and folk media etc;
- Undertaking curricular reforms through the State Council of Educational Research and Training based on National curriculum Framework 2005, RTE 2009 and National Curriculum Framework for Teachers' Education, 2010; finalization of syllabus and text books, printing and distribution of text books well in time before the commencement of the academic session;
- Joining the joint enforcement team at the Mandal level for undertaking an enforcement drive launched by Labour Department for rescue / release of children from work for their enrolment in formal school system;
- Continuous evaluation of the content, process and impact of the programmes for enrolment and retention of children so withdrawn from work and taking timely and appropriate measures so that the children who are enrolled remain in the school and attain the desired levels of proficiency in arithmetic, mother tongue, social and other sciences and environment;
- Organising special training for all out of school children either at school points or at a safe residential place so that the out of school children acquire the desired competency levels as assessed by the teacher and then enrolling them in the formal school system on the basis of outcome of the assessment;
- Creation of a computerized data base under SSA;
- Ensure that opportunities and facilities are created to make childrens' participation in all aspects of implementation of RTE;
- Care should be taken to make the entire process of learning joyous, exciting, interesting, innovative, relevant and worthwhile;
- Holding the Education Officer and the Principal of the school accountable for their failure to retain the children and in particular,

out of school children and working children receiving education in the formal school system;

- Introducing regular programmes for counselling the parents of working children about the importance of enrolment and retention of all working children in the formal school system;
- Monitoring of academically weaker children in schools with the involvement of NGO's;
- The department should ensure that all the lower and upper primary schools under it have the following irreducible barest minimum norms and standards for management of education as required under the RTE, 2009;
- All weather school buildings which are aesthetically pleasing, structurally safe and sound, functionally convenient with built in arrangements for furniture, repair and maintenance, play ground, uninterrupted supply of electricity, midday meal, potable water, conservancy facilities etc;
- One class room-one teacher;
- Teacher pupil ratio at 1:30;
- Continuous and Comprehensive Evaluation (CCE);
- No corporal punishment;
- No detention, no failure;
- Remedial teaching;
- Having trained and full time teachers;
- Having an inclusive curriculum;
- Special teaching arrangement for children with special needs;
- Using mother tongue as means of social communication;
- Having full time schools teaching minimum number of hours and days each year;

### **3. Women Development Child Welfare Department:**

The Department is primarily concerned with protection of childhood and creating conditions which will ensure realization of the right of the child to survival and development. For this purpose, the Department has been made responsible for implementation of ICDS which is one of the oldest and largest public delivery programmes for the children in the whole world. The department is also responsible for rehabilitation of juveniles in conflict with law and children in need of care and protection (Orphans, destitutes, abandoned children, working children etc) under the Juvenile Justice (Care & Protection of children) Act, 2000 as amended up to date.

In the context of identification and enumeration of working children, their rescue / release and rehabilitation through education, nutrition, skill training and checkup of health, the department will have to play the following role:-

- The Department should designate a Nodal Officer at a senior level who can be part of the District Child Labour Task Force;
- The CWC of the District concern should be asked by the Department to nominate a member who can be a part of the District Child Labour Task Force;
- Such a member can be a vital link between the District level Child Welfare Committee and the District Child Labour Task Force for all practical purposes such as:
  - Attending all pre rescue planning meetings of the Task Force;
  - Ensuring the interim care and custody of the rescued children;
  - Verification of all relevant details pertaining to the children and their families in the Transit Home where the children may be lodged for a week to a fortnight for psychological counselling, check up of health and levels of educational equivalence;
  - Keeping the observation Homes, Special Homes, Children's Homes and Shelter Homes for reception of all rescued children and for their stay in the Homes till such period the inquiry being conducted by the JJB / CWC, as the case may be, is over and subsequently for the rehabilitation of the child through the Home;
- The Department is responsible for appointment and training of Probation Officers who have a very important role in promoting physical, economic and psychological rehabilitation of children release from work;
- The Department should introduce a scheme for screening the health of all children in school and out of school and create facilities for such screening at the school premises, Anganwadis, Children's Homes as may be conceivable and practicable;
- The Department should pay particular attention to deal with the problem of stunting, wasting and low average BMI of all children and in particular working Girl children who have been found to be malnourished, and who on account of undernourishment may not be able to concentrate on the lessons which are transacted in the classroom;
- The Department may launch a massive programme of awareness generation for all sections of the civil society about (a) importance of nutrition in day-to-day life, (b) how to make food wholesome and nutritious within limitations of low income and pervasive ignorance and illiteracy of parents; (c) how to identify risks and hazards associated at the prenatal, early neonatal, late neonatal, neonatal, post natal, infancy and childhood phases of life and how

to take preventive and corrective measures to ensure childhood survival and its development in its totality.

#### **4. Health and Family Welfare Department:**

- The Department is responsible for notifying a Medical Officer not below the rank of Government Assistant Surgeon as the prescribed Medical Authority u/s 10 of Child Labour (Prohibition and Regulation) Act, 1986; it transpired that such a notification has not been issued so far. This should be issued at the earliest.
- The prescribed Medical Authority is required to adjudicate disputes relating to determination of age of a working child. The decision of the authority is final and cannot be questioned in a court of law. It is imperative that such a responsibility is discharged with a lot of care and sensitivity. Apart from issue of guidelines from the Department as to how age is required to be determined in a rational and scientific manner, workshops involving employers, trade unions and the authority may be organized in which all doubts and disputes could be resolved and the whole issue is placed in a perspective which is beneficial to working children.
- After working children have been rescued and released and brought to a Transit Home, they have to undergo medical examination within 24 hours. Necessary instructions may be issued by the Department to the Civil Surgeon of the District, so that the health check-up may be completed in time and corrective measures may be provided to the child if found to be suffering from communicable or non-communicable diseases.
- Check-up of health of all children in school or out of school according to established norms should be squarely the responsibility of Health and Family Welfare Department. The place meant for check-up of health and norms to be adopted for such check-up should also be laid down by the said Departments.
- Expenses incurred towards check-up of health, issue of medical certificate, specialized treatment of the working child in the nearby hospital/medical centre should be met by the Collector/District Magistrate of the District concerned either from the budget of the Health and Family Welfare Department in consultation with the Civil Surgeon or if the same is not readily and adequately available from the corpus of District Child Labour Welfare-cum-Rehabilitation Fund.
- Properly planned and coordinated efforts may be made for providing orientation and training to all officers of the department for their sensitization. Such training may be organized in batches or selected slots at one of the premier training institutes at the State or District level. Labour Department should provide necessary academic and technical support for the training.

## **5. Rural Development Department:**

The Department is in-charge of three major poverty alleviation programmes namely: (a) Mahatma Gandhi NAREGA Scheme (b) Mobilisation of BPL families into Self-Help Groups (c) Integrated Watershed Planning, Management and Development. With the help of Society for Elimination of Rural Poverty which is an NGO headed by the Chief Minister of the State, one crore households in the State have been mobilized and 10 lakh SHGs have been formed on the principle of thrift and credit. Each SHG is entitled to a bank loan of Rs.5 lakh at very low rate of interest and the element of subsidy has been completely done away with. Under the **Pavala Vaddi** scheme the SHG member can get a loan at the rate of 3 per cent interest and they can claim reimbursement of the interest portion for the loan if the loan is repaid in time. A number of income generating schemes have been linked to the SHGs according to the preference and interest of the members. The SHGs have been federated at the village, mandal and district level. Over a period of 12 years since commencement of the SHG scheme a sum of Rs. 4,500 crores has been built up which is considered to be a considerable amount of social capital.

There is a scheme of education loan for the children who have been released from the work. Such loans can be sanctioned without limit if children would like to go to a hostel. The loan will have to be repaid over a period of three years at a rate of interest equivalent to the bank rate.

The Mahatma Gandhi NAREGA Scheme was launched by the Prime Minister of India at Ananthapur on 6<sup>th</sup> February, 2006. The average number of days of employment under this scheme was 65 in 2009-10; it has come down to 57 in 2010-11. Wages under MG NAREGA are being paid at a piece rate with average earnings going upto Rs.120 per day. One of the major drives which has been launched by the Department under MG NAREGA and which will be environment friendly relates to planting 7 crore trees in 2011-12 on the farm bunds which will yield sizeable number of mandays apart from creating a permanent asset and promoting conservation of environment.

Under the integrated watershed planning management and development district water shed management association societies have been formed and 30,000 units of watershed programmes have been taken up which apart from generating avenues of stable and durable employment will improve the moisture content of the soil, will reduce vulnerability of land to drought conditions and will bring about an integration between agriculture, animal husbandry and veterinary, soil conservation, forest and fishery activities.

The above programmes are expected to ensure economic rehabilitation of poor parents. It has been recognized that adult parents push their children involuntarily to work as they themselves are not able to get avenues of stable and durable employment and in a large family size situation are required to feed a number of additional mouths. If economic rehabilitation of poor parents is assured it is fervently hoped that the incidence of child labour will come down. It should, therefore, be the endeavor of the Rural Development Department to intensify public works programmes in such a way that they ensure full, freely chosen and productive adult employment and adequate need based remuneration

as an integral part of the employment so that in due course of time there will be no occasion for poor parents to push children to work.

Additionally the Department has a very large number of functionaries who need to be given orientation and training with a view to making them sensitive to the need for elimination of child labour. It should be the endeavor of the functionaries of the department to report instances of child labour detected by them anywhere in course of their field visits to the Officers of Labour and Employment Department. They should, along with such reporting assist the officers of Labour and Employment Department to do a proper mapping of the children who have been found working by them. These Officers can be trained either at the NIRD or SIRD or any other training institute of repute and standing.

## **6. Social Welfare Department:-**

The Social Welfare Department is primarily responsible for promoting welfare of the members of the Schedule Caste. Education being one of the components of such welfare the department is running a network of hostels and residential schools for boys and girls belonging to the Schedule Caste. There are 2315 hostels and 288 residential schools being run by the department. 60% of the seats in the Hostels are reserved for girls whereas 75% of the seats in residential schools is reserved for SC and 25% for others. Orphans, destitutes, bonded labourers, working children and children of the prostitutes have a prior claim for getting admission into the hostels as well as residential schools.

Currently there is a programme of constructing 35 such residential schools at an estimated cost of Rs. 9 crores per school. These school buildings are architecturally elegant, aesthetically pleasing, commodious, functionally convenient, structurally safe, and are expected to provide a very congenial environment for formal schooling. There are 1128 Mandals in the whole State and according to the current thinking of the Department, every Mandal should have a residential school for both boys and girls during 12<sup>th</sup> Plan period. As and when this materializes it will provide a fillip to education of boys and girls of one of the most marginalized communities i.e., SC and there will be no occasion for parents to send their boys and girls to work.

Additionally the Department has very large number of functionaries who are in need of sensitization through orientation and training on elimination of child labour in Andhra Pradesh. A calendar for organizing such orientation and training could be prepared and the training provided in batches from December, 2011 onwards. The central objective of such orientation and training would be the following:-

- Functionaries of the Department own the programme of identification, rescue/release and rehabilitation of all working children as their own;
- They may help in collecting intelligence in course of their tours on prevalence of child labour in selected pockets and share the intelligence with officers of Labour Department so that raids can be conducted and children can be rescued / released;

- They may assist the process of rehabilitation of the children released from work as also the process of economic rehabilitation of poor parents;
- Orientation and training may motivate them to own elimination of child labour as their own.

## **7. Tribal Welfare Department:-**

Like the Social Welfare Department, the Tribal Welfare Department is also running residential schools and hostels. While the number of residential schools is 554 there are over 300 hostels. Additionally there are 130 residential schools under Gurukulam Scheme and 3000 Girijan Primary Schools up to Class II. Unlike the residential schools of Social Welfare Department which are meant for students from class 6<sup>th</sup> to Class 12<sup>th</sup>, the residential schools of Tribal Welfare Department are meant for students from class 1 to Class 12<sup>th</sup>. Although such an infrastructure sounds impressive, it is not adequate for taking care of residential educational needs of 60 lakh members of the ST community in the State. Tribal parents are generally not inclined to send their children to day school. The residential schools and hostels have proved useful in improving the rate of enrolment and retention and reducing the rate of dropout. There is, however, no thinking at present to go in for general expansion of Ashram schools. The Tribal Welfare Department may obtain a list of pockets endemic from the point of prevalence of child labour from the officers of Labour and Employment department and make out a case for covering these pockets by residential schools/hostels on a selective basis.

Additionally the Tribal Welfare Department is responsible for implementation of PESHA. The PESHA Rules have since been issued by the Department.

For promoting functional literacy among tribal parents, the department has a scheme of publication of primers in the tribal dialect. There are in all 19 tribal dialects of which 9 are major ones. The content, quality and impact of such primers need to be evaluated to come to the conclusion that have assisted in imparting functionally relevant, interesting and useful literacy to the unlettered tribal parents.

Under the ST and Other Forest Dwellers Right to Livelihood Act, surveys have been conducted by the District administration and depending on the outcome of the survey, land rights of the members of the community are being conferred on them who have been occupying the land for cultivation for number of years in the past.

Steps have been taken by the Department to vigorously enforce the Land Transfer Regulation, 1959 (Act I of 1970) to ensure that (a) land (both homestead and agricultural land) which was in occupation of a tribal but fraudulently usurped by a non tribal is restored to the former (b) all the cases under the Regulation are disposed off promptly and (c) no harassment is caused to a tribal whose original land has been alienated.

Like the Social Welfare Department, the Tribal Welfare Department has also got a large number of functionaries numbering several thousands. All of

them are not familiar with and committed to the task of elimination of child labour. A calendar for organizing series of orientation and training programmes may be prepared and the training conducted with the help of MCR HRD Institute and such other institutes with a view to sensitising the officers of the department.

### **8. Home (Police) Department:**

The Department may contribute to the task of rescue / release of children from work in the following manner:-

- Setting up Special Juvenile Police limits U/s. 63 of JJ (Care and Protection of Children) Act, 2000 as amended up-to-date;
- By joining as a member of District Level Task Force and providing protection to the members of the rescue team in the event of resistance from the employers concerned;
- By assisting the members of the team in interrogating the employers as well as the working children to get full details of the employment, circumstances under which the children employed, terms and conditions of employment i.e, hours of work, spread over, wages (including overtime wages) arrangements for ensuring health and safety of the workers etc.,;
- Entertaining FIR (all offenses under Child Labour (Prohibition & Regulation) Act, 1986 are cognizable and bailable), completing the investigation in time and filing prosecution against the offending employer for providing justice to the working children;

### **9. Urban Development Department:-**

The Department may contribute to the task of elimination of child labour in the following manner:-

- The Corporations / Municipalities under the Department issue licences to all shops and commercial establishments, hotels / motels / restaurants in urban areas; a condition may be imposed in the said license that the establishments will not employ children below the age of 14;
- The Corporations / Municipalities permit private advertisers to put up hoardings at conspicuous locations within the city / municipal limits. Such advertisers may be directed to put up a few hoardings pertaining to the elimination of child labour; protection of child, childhood and childrens' rights;
- The schools under the Corporations / Municipalities should provide access to free and compulsory education to all rescued working children irrespective of their age;
- To monitor the content, quality and impact of non formal education programme run by NGO in various slums with a view to bringing

all out- of-schools in the area into the fold of mainstream education;

- Headmasters and Teachers of Corporation / Municipal Schools should hold a monthly meeting of all parents for sensitising and counselling them about the education of their children;
- The Municipal Corporation Commissioner / the Chief Executive Officer of the Municipality may take the initiative of inviting the residential welfare associations within the Municipal area to hold a discussion with them and to persuade them to adopt a resolution to the effect that no apartment owner who is a member of residential welfare association would employ a domestic help below the age of 14 years as such employment already stands prohibited under Part-A of Child Labour (Prohibition and Regulation) Act with effect from 10-10-2006;
- The Department has an army of officials who are mostly discharging regulatory roles; a calendar for organizing orientation and training for sensitization of these officers may be prepared and the training conducted from December 2011. The central objective of such training would be to motivate the officers of the Department to own the programme of elimination of child labour as their own, help in collection of intelligence of locations, occupations / processes where the children are employed and shares such intelligence with the officers of Labour & Employment so that raids can be conducted, children at work can be rescued / release and subsequently rehabilitated.

#### **10. Food and Civil Supplies Department:-**

According to the survey conducted by Aide-et-Action, South Asia Regional Office, Hyderabad more than 11 lakh people are migrating out of Andhra Pradesh and much larger number of persons are moving into Andhra Pradesh from the States of Bihar, Uttar Pradesh, Odisha, Tamil Nadu, Maharashtra, Madhya Pradesh, Chhattisgarh every year (The actual number of persons migrating into Andhra Pradesh – both intra and inter-state would be around 7 million. In majority of the cases children accompany the migrant parents and as they arrive at the work site they remain deprived of their access to the educational opportunity. Due to a number of factors such as (a) Payment of advance at the time of recruitment of the migrant families (b) irregular and erratic payment of wages at the worksite (c) non enforcement of minimum wage by the labour Law enforcement machinery, the migrant parents find it extremely difficult to eke out means of decent livelihood. They would find it equally difficult to meet the cost of education of their children by sending them to a good school. Since they don't have any ration card they have to buy all essential food grains and other commodities from the open market at a much higher rate. All these add up to their plight and predicament. With a view to providing some measure of relief to such migrant families the Food and Civil Supplies Department may consider issue of ration cards / coupons to such families or alternatively may open retail outlets in the vicinity of the worksite to be managed by SHG groups or co-operatives, as the case may be so that the

migrant families may have access to commodities (including food grains) essential for their day to day biological survival at concessional rates. Labour & Employment Department may provide full details of the worksites, names of projects under execution, number and names of migrant families to enable the Food and Civil Supply Department to do the needful.

### **Community grain bank:-**

This is a scheme to ensure food security which comes under the purview of Food and Civil Supplies Department. The ingredients of the scheme are:-

- A village should have at least 40 families to fulfil the minimum norm of community grain bank scheme;
- This can be relaxed in special circumstances;
- Forty quintals of rice will be given to the village as one time grant; an additional amount will be provided for consumption of store room and transportation charges and book maintenance;
- Each family in the village is required to contribute 500 gm to 1 kg depending on the capacity and of ones volition;
- The two together (Govt supplies + individual contribution) will constitute a buffer; it will be stored in the store room

During lean season when there is no availability of food the families can draw food from the grain bank according to their requirements. Each family will also have a ration card which will be used for public distribution system. The families will repay in kind whatever they have taken by way of loan from the grain bank with a nominal rate of interest.

In the context of elimination of child labour, if food security is ensured through the Community Grain Bank Scheme, parents may not be required to push children involuntarily to work.

### **11. Revenue Department:-**

There are five departments under Revenue Department entrusted with different responsibilities. The Department which controls the cadre of Tahasildars would be relevant for dealing with elimination of child labour in the following manner:-

- The Tahasildar could be a member of the Mandal Level Rescue Team as and when the same is constituted and proceeds to conduct raids of establishments in the mandal area to rescue / release of working children;
- The Revenue Department is responsible for grant of lease of minor minerals (such as sands in the river bed). In granting such lease a condition may be stipulated that no child below the age of 14 would be employed in extraction of minor minerals;

## **12. Panchayati Raj Department:-**

The Panchayats issue licence in rural areas for shops and commercial establishments, hotels / motels / restaurants / dhabas etc., In issuing all such licences a condition may be imposed not to employ child below the age of 14 in any of these establishments.

Additionally elimination of child labour would be included as an item in the curriculum and the syllabus of training for all officers and elected representatives of Panchayati Raj Departments. A calendar of such training may be in place and the training may commence for the Panchayati Raj functionaries for their orientation and sensitization from December, 2011 through NIRD or SIRD or any other Institute of repute and training which may be in existence in the State for such training.

## **13. Industry and Mines:-**

The Department is responsible for grant of lease of quarries. Usually the lease is granted to private individuals who employ children in the quarry operations for a variety of reasons. The Department may consider to incorporate a condition that while granting lease of the quarry children below the age of 18 year (which is the age of entry to the world of work in mines and quarries) should not be employed. Simultaneously the department may also consider granting such lease to co-operatives so that both the contingency of employment of children and exploitation which takes place through private lessee may not occur and recur.

PANKAJ DWIVEDI  
CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER